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TRANSMITTAL FORM <i>(to be used for all correspondence after initial filing)</i>	Application Number	09/836,685	
	Filing Date	April 17, 2001	
	First Named Inventor	Jefferson E. Odhner	
	Group Art Unit	2872	
	Examiner Name	Arnel C. Lavarias	
Total Number of Pages in This Submission	27	Attorney Docket Number	LUC 2-026-3

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SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT	
Firm or Individual name	Diane E. Burke Mueller and Smith, LPA
Signature	<i>Diane E. Burke</i>
Date	December 16, 2002

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**In The United States Patent and Trademark Office**

In re Application of)
Jefferson E. Odhner)
Serial No. 09/836,685) Examiner Arnel C. Lavarias
Filed: April 17, 2001) Group Art Unit 2872
For: Direction of Optical Signals by a)
Movable Diffractive Optical Element)

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AMENDMENT AND RESPONSE

Sir:

This paper is filed responsive to the Office action mailed September 16, 2002. With the present response, Applicants submit a newly discovered publication for the Examiner's review. The attached publication is an article entitled "Micromotor grating optical switch," which was recently uncovered by one of the inventors, Jefferson E. Odhner. The relevance of this reference to the amended claims is discussed in detail below.

PRIORITY

Applicants respectfully submit that the requirements of claiming domestic priority under 35 U.S.C. § 120 have been met. 37 C.F.R. 1.78(a)(2)(i) states that an nonprovisional application claiming benefit of a copending nonprovisional application must contain or be amended to contain a reference to the prior-filed application. Such reference must identify the prior-filed application by application or serial number and the relationship of the applications. Section 78(a)(2)(iii) further states that the reference required must be included in an application data sheet **OR** the specification must be amended to contain such reference in the first sentence following the title.

The present application is a continuation-in-part of earlier filed application Serial No. 09/372,316. Applicants complied with the requirements for claiming priority by including the appropriate reference to the prior application in the application data sheet submitted with the present application. For the convenience of the Examiner, a copy of the application data sheet is attached hereto.

With this response, Applicants have amended the first sentence following the title to include the priority reference. However, such amendment is made for the sake of clarification.